

**10<sup>th</sup> Ethical Forum: Who must pay for Higher Education?**  
**University Foundation, Brussels, 17 November 2011**  
**Proposals for interpellations from the floor**

**Zdenko KODELJA**, Education Research Institute, Ljubljana

**The OECD against the UN?**

According to Article 13 of the International Covenant on Economic, Social and Cultural Rights (adopted by the UN in 1966), the States which ratified it are obliged to make higher education "equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education". Despite this, some of these States have introduced university fees, and some have maintained and even increased them. It is cynical – in Sloterdijk's sense of the term – that these States do this although they know very well what they are doing: breaching international law and violating students' rights. For this reason it is surprising that this year even the Economic and Development Review Committee of the OECD recommended to the Slovenian government that it "should introduce universal tuition fees" in tertiary education. Can this recommendation be morally justified by the expected benefits that the introduction of tuition fees is supposed to bring?

**Rachel NYE**, UGent

**Funding Higher Education in Scotland: The English Question**

Whilst there exists a "European ban on discrimination on grounds of nationality", no such legislation prevents discrimination against students from different sub-states of the same nation when it comes to tuition fees. Hence the situation in the UK. Since devolution, the Scottish Parliament has control over educational matters in Scotland. Thus, whilst English universities are at liberty to charge tuition fees of up to £9000/year to UK students, Scottish students studying at higher education institutions in Scotland pay nothing for tuition. Students from other EU nations are entitled to study at Scottish universities on the same terms as Scottish students, yet English students are not, and can again be charged fees of up to £9000. Whilst the practical reasons behind this decision are clear, the ethical aspect of such a situation is questionable. But how to ensure equality of educational opportunity for all UK students, without overwhelming the Scottish system with an influx of English "fee refugees"?

**Vincent VANDENBERGHE**, UCLouvain, Economics

**Are residence-contingent student loans discriminatory?**

Mobility is one of the factors forcing European governments to reexamine the current model where tertiary education is free at the point of use, and the cost of education is paid via general taxation: a mechanism which, to some extent, works like an *implicit* loan (ie. students rapidly become taxpayers, and pay more taxes than the average citizen). But asymmetric international mobility puts the implicit loan part of such a system at risk: there is no guarantee that all former students will become regular taxpayers. An answer to this problem is to make students/graduates' contribution more *explicit*. One option is to i) raise tuition fees upon registration for all students, ii) but defer their payment via loans (to avoid liquidity constraints) and iii) make repayment income-contingent (to limit

the risk of non take-up due to debt/risk aversion, and to properly account for the ability to pay of graduates).

[See [http://perso.uclouvain.be/vincent.vandenberghe/Papers/Mobility\\_and\\_IC\\_student\\_loans.pdf](http://perso.uclouvain.be/vincent.vandenberghe/Papers/Mobility_and_IC_student_loans.pdf)]

**Question** : Can income-contingency be implemented when individuals are internationally mobile? How to keep track of graduates' income when they are moving abroad? Individual countries can collect loan payments via the income-tax system on their territory, but have no mandate to do so abroad. Should one conclude that income-contingency must be residence-contingent; like in Australia where foreign students are not eligible, and must pay tuition fees upfront? But would that be accepted by the EU Court of Justice?